

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Cr. No. 00-60031-HO
)	Civ. No. 05-6027-HO
)	
v.)	ORDER
)	
RONALD BURL MOORE,)	
)	
Defendant.)	
)	

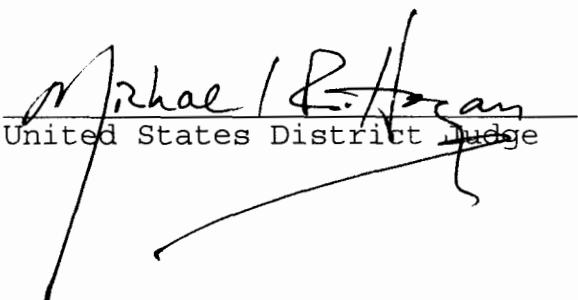
Defendant has filed a second motion to vacate or correct his sentence pursuant to 28 U.S.C. § 2255.

The government moves to dismiss the petition as an uncertified successive petition. Defendant has not obtained authorization from the Ninth Circuit to file a second petition pursuant to 28 U.S.C. 2244. Accordingly, this court lacks jurisdiction over the petition. See United States v. Allen, 157 F.3d 661, 664 (9th Cir. 1998). Accordingly, defendant's petition is denied.

CONCLUSION

For the reasons stated above, defendant's motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 (#42) is denied and the government's motion to dismiss (#46) is granted and this proceeding is dismissed.

DATED this 13th day of May, 2005.


United States District Judge